

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF DEVELOPMENTAL DISABILITIES

**EFFECTIVE DATE:** July 18, 2003

**DATE ISSUED:** July 8, 2003

(Rescinds Division Circular #47, "Skill Level Procedure" issued February 17, 1998)

**I. TITLE: Skill Level Procedure**

**II. PURPOSE:** Provide guidelines to be used in determining the level of skill training for individuals placed in Community Care Residences.

**III. SCOPE:** This circular applies to Division components and all Community Care providers licensed by the Division of Developmental Disabilities.

**IV. POLICIES:** There shall be no more than 2 persons assigned to skill level IV in any Community Care Residence regardless of capacity.

**V. GENERAL STANDARDS**

A. Definitions - For the purpose of this circular, the following terms shall have the meanings defined herein:

1. Community Care Provider means the operator of a Community Care Residence licensed in accordance with N.J.A.C. 10:44B.
2. Community Care Residence means a private home or apartment in which an adult person or family contracts to provide individuals with developmental disabilities care and/or training.
3. Family Care Home means a Community Care Residence licensed under N.J.A.C. 10:44B, which provide only room and board.
4. Intake Review Team (IRT) - Refer to DC #3, Eligibility
5. Interdisciplinary Team (IDT) - Refer to DC 35 - Individual Habilitation Plan.

6. Leave Time means time for the Community Care Provider to be free from caring for the individual(s), which is earned, based upon years of service.
7. Levels of Compensation means the compensation given to the Community Care Provider for the training and care of an individual. The level of compensation is determined by the Region through the Placement Review Team based upon the level of care required by the individual. (Refer to Appendix A & B).
8. Placement Review Team (PRT) - Refer to DC 8. Waiting List
9. Primary Caregiver means a Community Care Provider assigned to care for Skill Level IV individuals.
10. Regional Administrator means the Division staff member with administrative authority over a community service regional office.
11. Regional Assistant Director (RAD) means the Division staff member with administrative authority over a community services regional office and assigned developmental centers.
12. Relief person means an individual who is responsible for providing supports to the individual assigned to Skill Level IV whenever the primary caregiver or secondary caregiver, if identified as needed, by the IDT, is not available.
14. Relief Time means time off available to a Primary or Secondary Caregiver in a Skill Level IV home, which is in addition to Leave Time.
15. Secondary Caregiver means an individual in the Skill Level IV home who assists in the care of more than one individual receiving services as determined by the PRT based upon the complex needs of the individual(s).

- B. The IRT/PRT makes the initial assignment of skill level, which is subject to review annually by the IDT, and upon request from the Community Care Provider.
- C. Any leave time taken by the Community Care Provider shall be arranged in advance with the Regional Office.
- D. The capacity of the Community Care Residence is established by the license.
- E. All providers shall meet the requirements of N.J.A.C. 10:44B.

## **VI. PROCEDURES**

### **A. SKILL LEVEL DETERMINATION**

1. The individual's skill level is determined either by the Intake Review Team (IRT) at the time of eligibility if residential placement is requested or by the Placement Review Team (PRT) at any other time thereafter. The IRT or PRT shall use the criteria in Appendix A to determine the assignment of skill level.
2. If an individual meets any one of the criteria in Skill Level I, II, III, that will be the assigned skill level. If an individual meets three or more of Skill Level I, II, III, the individual will be Skill Level III. To be assigned to Skill Level IV, the individual must meet the requirements for a medical or behavioral criteria as outlined in Appendix A.
3. If the IRT/PRT determines that the individual's needs may warrant Skill Level IV placement:
  - i. Assignment to Skill IV/medical requires an assessment by the Regional Nurse.
  - ii. Assignment to Skill IV/behavioral requires an assessment by the Regional Psychologist.
4. The case manager shall inform the Community Care Residence provider of the skill level determination and complete the necessary paperwork.
5. The IDT shall review the skill level assignment annually, or as needed and make recommendations to the PRT, for changes in the skill level assignment.

## B. COMPENSATION

1. The initial compensation, for the designated skill level, is recorded by the case manager in a contract with the Community Care Provider at the time the individual is placed.
2. If the PRT approves a change in skill level, the effective date of change in payment will be the date of the written request from the Community Care Provider.
3. Each region has an assigned number of skill level placements. Any request to exceed the assigned number shall be approved through the Division Director's Office after referral by the Region. The case manager will provide justification for any request.
4. When an individual other than a person assigned to Skill Level IV, does not work or attend day program for 30 consecutive days and there are no other Division resources provided to the individual during the day, the Community Care Provider may be compensated at the next higher level during that period. The higher rate shall be approved by the PRT. The level of compensation will return to the previous level once the individual returns to program.
5. Additional compensation will not be given for breaks that exist within a regular school or work schedule. The routine breaks in an individual's school/program schedule should be presented to the Community Care Provider and considered during the placement process.
6. A Family Care placement may be made in a Community Care Residence. Family Care placements are available to individuals who require only room and board. The Community Care Provider is not required to provide training to the individual. Family Care placements are not included in the number of skill level placements assigned to a region.

## D. EXCEPTIONS

These guidelines are subject to waiver by the Regional Administrator if the waiver is needed to further the individual's habilitation and is determined not to be a danger to the person's health, safety or welfare.

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James W. Smith, Jr.  
Director

## APPENDIX A

### COMMUNITY SERVICES SKILL LEVEL CRITERIA

#### Skill Level I

#### Skill Level II

<p style="text-align: center;"><b><u>HEALTH</u></b></p> <p>1. Requires routine medical attention. May need to take daily medications.</p> <p>2. May have a seizure condition, which is generally controlled by medications.</p> <hr/> <p style="text-align: center;"><b><u>MOBILITY</u></b></p> <p>1. Independently mobile with or without assistive devices.</p> <hr/> <p style="text-align: center;"><b><u>SELF-CARE</u></b></p> <p>1. May need daily skill training or minimal physical assistance in areas of self-care.</p> <p>2. Independent or toileted by routine.</p> <hr/> <p style="text-align: center;"><b><u>BEHAVIOR</u></b></p> <p>1. There may be some behavioral outbursts and/or difficulty in making adjustments.</p>	<p style="text-align: center;"><b><u>HEALTH</u></b></p> <p>1. Requires periodic non-routine medical attention, resulting in medical appointments occurring on average twice a month.</p> <p>2. Has a seizure condition, which is partially controlled by medication.</p> <hr/> <p style="text-align: center;"><b><u>MOBILITY</u></b></p> <p>1. Needs occasional physical assistance with mobility and/or transfers with or without assistive devices.</p> <hr/> <p style="text-align: center;"><b><u>SELF-CARE</u></b></p> <p>1. With the individual participating, requires constant hands-on physical assistance in all areas of self-care.</p> <p>2. Needs physical assistance for incontinence occurring minimally twice a week.</p> <hr/> <p style="text-align: center;"><b><u>BEHAVIOR</u></b></p> <p>1. Has periodic episodes of challenging behavior to the extent that it interferes with adjustment to home, day and community programming.</p>
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**Skill Level III****Skill Level IV**

<p style="text-align: center;"><b><u>HEALTH</u></b></p> <p>1. Has a serious chronic medical condition, which requires ongoing medical intervention on a daily or weekly basis.</p> <p>2. Has a seizure condition, which is poorly controlled by medication.</p> <hr/> <p style="text-align: center;"><b><u>MOBILITY</u></b></p> <p>1. Requires full time physical assistance with transfers and mobility.</p> <hr/> <p style="text-align: center;"><b><u>SELF-CARE</u></b></p> <p>1. Due to the individual's inability to participate, requires all self-care tasks to be completed by the provider.</p> <p>2. Is incontinent and/or requires full physical assistance in toileting.</p> <hr/> <p style="text-align: center;"><b><u>BEHAVIOR</u></b></p> <p>1. Exhibits severe challenging behaviors on an ongoing basis.</p>	<p style="text-align: center;"><b><u>HEALTH</u></b></p> <p>1. Must be considered medically frail and require continuous, close supervision and monitoring. The state of the individual's health must be considered severely impaired and uncertain. The individual's poor state of health may preclude regular attendance in a day/work program. The individual may require ongoing or temporary rehabilitative, restorative or post-operative care.</p> <p>2. The individual may require invasive techniques/procedures such as catherization, feeding tubes, suctioning, etc.</p> <hr/> <p style="text-align: center;"><b><u>MOBILITY</u></b></p> <p>1. May require full time physical assistance with transfers and mobility.</p> <hr/> <p style="text-align: center;"><b><u>SELF-CARE</u></b></p> <p>1. Due to the individual's inability to participate, requires all self care tasks to be completed by the provider.</p> <p>2. Is incontinent and/or requires full physical assistance in toileting.</p> <hr/> <p style="text-align: center;"><b><u>BEHAVIOR</u></b></p> <p>1. The individual must require a behavior intervention plan with continuous reinforcement schedule over an extended period of time. The individual should have a well-documented history of unsuccessful behavior interventions and may have a history of multiple placements due to severity of needs. The individual may require constant and intensive level of supervision in all activities.</p>
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## **APPENDIX B**

### **SKILL LEVEL IV GUIDELINES**

#### **I. PROVIDER REQUIREMENTS** (In addition to those included in N.J.A.C. 10:44B)

##### **A. Primary Caregiver**

1. He or she shall receive training specific to the individual's needs as determined by the IDT/PRT.
2. He or she shall be required to be a licensed LPN or RN if the person placed has extraordinary medical needs as determined by the PRT.
  - i. If the primary caregiver is required to be a LPN or RN, there shall be a LPN or RN in the home whenever the primary caregiver is absent.
3. He or she shall successfully complete and maintain CPR and First Aid Training in accordance with Division Circular 31.
4. He or she cannot have full time employment outside the home.
5. He or she may have part-time employment or attend school if it is limited to times that the individual(s) assigned to Skill Level IV is not in the home.
6. He or she must attend 4 advanced training sessions each year as approved by the regional office.

##### **B. Secondary Caregiver**

1. A secondary caregiver is required if there is more than one individual in the home who is assigned to Skill Level IV and has extraordinary medical needs. The secondary caregiver is not required to be a LPN or RN unless required by the IDT.
2. He or she shall successfully complete current CPR and First Aid Training in accordance with Division Circular 31.
3. He or she shall receive individualized training specific to client needs as determined by the IDT/PRT.

4. He or she must attend (4) advanced trainings annually, as approved by the regional office.

C. Relief Person

1. The relief person shall meet the requirements of the primary caregiver.

**II. SUPERVISION**

The level of supervision and care to be provided will be reviewed annually by the IDT and written in the IHP.

1. If the IDT has determined that a nurse is required 24 hours a day, the Secondary Caregiver and Relief Person shall be an RN or LPN;
2. Whether one-to-one staffing ratio is required; or
3. Whether a secondary caregiver may be required for evacuation.

There may be other issues related to the individual or the community care provider's home which are not covered in the above criteria which would be addressed in the plan.

**III. ABSENCES FROM THE HOME**

- A. Primary and secondary caregivers earn leave time based on their years of service.
- B. Primary and secondary caregivers who exceed their allotted leave time shall have their compensation reduced accordingly.
- C. Relief time will not be provided in any month a primary or secondary caregiver uses leave allowance.
- D. Payment to the primary caregiver shall not be interrupted during any month in which the Skill Level IV individual is hospitalized. If the individual is out of the home for more than 30 days annually for other than hospitalization, compensation shall be reduced accordingly.
- E. A relief person will be provided up to 20 hours per month as needed. This time cannot be accrued.